

Entered - 10/21/99 - sb  
CL 99L0667 - GWENDOLYN BURNS

02- R -0286

**CLAIM OF: TRAVELERS PROPERTY CASUALTY GROUP**  
as subrogee of Donald Johnson  
P.O. Box 2954  
Milwaukee, WI 53201

For vehicular damages alleged to have been sustained from an automobile accident due to a missing stop sign on April 24, 1999 at Allegheny Street, SW and Rochelle Drive.

**THIS ADVERSED REPORT IS  
APPROVED**

BY:   
**ROBERT GODFREY**  
DEPUTY CITY ATTORNEY

CITY AGENDA

## ADVERSE REPORT

COMM: \_\_\_\_\_

DATE: \_\_\_\_\_

CHAIR: \_\_\_\_\_

\_\_\_\_\_

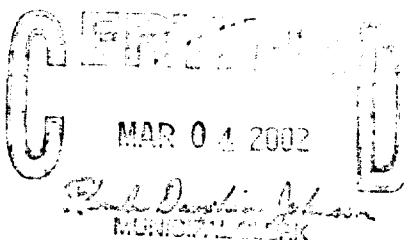
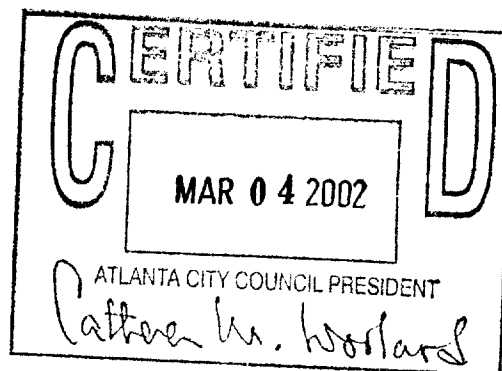
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ADVERSED  
CITY COUNCIL  
2002



## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

March 14, 2002

Travelers Property Casualty Group  
as subrogee of insured, Donald Johnson  
Attn: Albert L. Stonitsch  
P.O. Box 2954  
Milwaukee, WI 53201

02-R-0286

Dear Mr. Stonitsch:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on March 4, 2002. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: **Claims Division/Law Department**

## DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0667

Date: February 15, 2002

Claimant /Victim DONALD JOHNSON

BY: (Atty) (Ins. Co.) TRAVELERS PROPERTY CASUALTY INSURANCE

Address: P.O. Box 2954, Milwaukee, WI, 53201

Subrogation:            Claim for damages \$ 5,562.36 Bodily Injury \$           

Date of Notice: 10/13/99 Method: Written, Proper X Improper           

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 4/24/99 Place: Allegheny Street, NW & Rochelle Drive, SW

Department TRAFFIC & TRANSPORTATION SERVICES Division           

Employee involved            Disciplinary Action:           

NATURE OF CLAIM: Claimant alleges that he sustained vehicular damage from an automobile accident that occurred as a result of a missing stop sign. However, the City has no records of work being performed at this location or notice of a missing stop sign. The City is immune from liability pursuant to O.C.G.A. §36-33-1.

### INVESTIGATION:

Statements: City employee X Claimant            Others            Written            Oral X

Pictures            Diagrams            Reports: Police            Dept Report X Other           

Traffic citations issued: City Driver            Claimant Driver           

Citation disposition: City Driver            Claimant Driver           

### BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial           

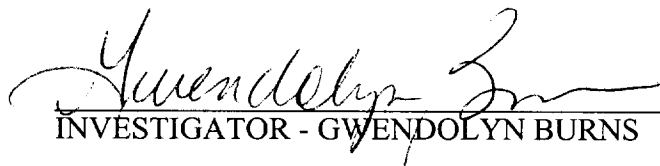
Improper Notice            More than Six Months            Other X Damages reasonable           

City not involved            Offer rejected            Compromise settlement           

Repair/replacement by Ins. Co.            Repair/replacement by City Forces           

Claimant Negligent            City Negligent            Joint            Claim Abandoned           

Respectfully submitted,

  
INVESTIGATOR - GWENDOLYN BURNS

### RECOMMENDATION:

Pay \$            Adverse X Account charged: 1A01            2J01            2H01           

Claims Manager:  Concur/date 02-15-02

Committee Action:            Council Action

RCS# 3550  
3/04/02  
1:31 PM

Atlanta City Council

Regular Session

CONSENT I                      Pgs.1-12;Except02-R-0348;02-R-0350;0380  
02-R-0387;02-R-0347;02-O-0364;02-O-0249  
ADOPT

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
02-O-0364  
02-O-0380  
02-O-0249

CONSENT I

**03/04/02 Council Meeting**

**ITEMS ADOPTED  
ON CONSENT  
AGENDA**

1. 02-O-0370
2. 02-O-0155
3. 02-O-0200
4. 02-O-0243
5. 02-O-0374
6. 02-O-0371
7. 02-O-0372
8. 02-R-0348
9. 02-R-0350
10. 02-R-0387
11. 02-R-0199
12. 02-R-0209
13. 02-R-0353
14. 02-R-0367
15. 02-R-0383
16. 02-R-0386
17. 02-R-0327
18. 02-R-0328
19. 02-R-0329
20. 02-R-0330
21. 02-R-0331
22. 02-R-0333
23. 02-R-0334
24. 02-R-0339
25. 02-R-0325
26. 02-R-0326
27. 02-R-0345

**ITEMS ADOPTED  
ON CONSENT  
AGENDA**

28. 02-R-0203
29. 02-R-0365
30. 02-R-0315
31. 02-R-0316
32. 02-R-0317
33. 02-R-0318
34. 02-R-0319
35. 02-R-0320
36. 02-R-0321
37. 02-R-0322
38. 02-R-0323
39. 02-R-0284
40. 02-R-0285
41. 02-R-0286
42. 02-R-0287

**ITEMS ADVERSE  
ON CONSENT  
AGENDA**

43. 02-R-0288
44. 02-R-0289
45. 02-R-0290
46. 02-R-0291
47. 02-R-0292
48. 02-R-0293
49. 02-R-0294
50. 02-R-0295
51. 02-R-0296
52. 02-R-0297
53. 02-R-0298
54. 02-R-0299
55. 02-R-0301
56. 02-R-0302
57. 02-R-0303
58. 02-R-0304
59. 02-R-0305
60. 02-R-0306
61. 02-R-0307
62. 02-R-0308
63. 02-R-0309
64. 02-R-0310
65. 02-R-0311
66. 02-R-0312
67. 02-R-0313
68. 02-R-0314